

# HOUSE BILL 849

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2lr2406

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By: **Delegates Gilchrist and Niemann**  
Introduced and read first time: February 9, 2012  
Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Real Property – Condominiums – Allocation of Utility Costs**

3 FOR the purpose of requiring a certain council of unit owners to have the ability to  
4 allocate utility costs in a certain manner and grant or deny utility service to  
5 each unit under certain circumstances; defining a certain term; providing for  
6 the application of this Act; providing for a delayed effective date; and generally  
7 relating to the allocation of utility costs in a condominium.

8 BY adding to  
9 Article – Real Property  
10 Section 11–108.2  
11 Annotated Code of Maryland  
12 (2010 Replacement Volume and 2011 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Real Property**  
16 **11–108.2.**

17 (A) IN THIS SECTION, “UTILITY” MEANS WATER, ELECTRICITY, GAS, OR  
18 OIL SERVICE.

19 (B) THIS SECTION APPLIES ONLY TO A CONDOMINIUM REGIME  
20 ESTABLISHED ON OR AFTER OCTOBER 1, 2013:

21 (1) ON NEWLY DEVELOPED PROPERTY; OR

22 (2) BY CONVERSION OF A RESIDENTIAL RENTAL FACILITY.

23 (C) THE COUNCIL OF UNIT OWNERS SHALL HAVE THE ABILITY TO:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(1) ALLOCATE UTILITY COSTS TO EACH UNIT BASED ON USAGE;**  
2 **AND**

3                   **(2) GRANT OR DENY UTILITY SERVICE TO EACH UNIT.**

4           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
5 construed to apply only prospectively and may not be applied or interpreted to have  
6 any effect on or application to any condominium regime established before the  
7 effective date of this Act.

8           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2013.